

Amendment No. 2 to SB0781

Bunch
Signature of Sponsor

AMEND Senate Bill No. 781

House Bill No. 583*

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 1, is amended by adding the following as a new, appropriately designated section:

§ 39-13-114.

(a) A person commits the offense of communicating a death threat concerning a school employee or student if:

- (1) The person communicates to any other person a threat to cause the death of a school employee or student;
- (2) The threat involves the use of a firearm or other deadly weapon;
- (3) A reasonable person would believe the person making the threat intends to carry out the threat;
- (4) The person making the threat purposely engaged in conduct that constitutes a substantial step in a course of conduct intended to culminate in the commission of the threatened act; and
- (5) There is a close temporal relationship between the threatened act and the substantial step.

(b) Conduct is not a substantial step under this section unless it is strongly corroborative of the person's criminal purpose.

(c) Communicating a death threat concerning a school employee or student is a Class A misdemeanor.

(d) For purposes of this section, "school" means any:

- (1) Elementary school, middle school or high school;

(2) Technology center or postsecondary vocational or technical school;

or

(3) Two-year or four-year college or university.

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it.